

**Town of Foxborough
Conservation Commission Minutes
November 10, 2014**

Members Present: Robert Boette (Chair), Allan Curtis (Vice Chair), Judith Johnson, James Marsh, and Valerie Marshall

Members Absent: Eric Nelson (Clerk), Douglas Davis

Staff Present: Jane Sears Pierce, Conservation Manager, and Diana Gray, Land Use Secretary

Others Present: See attached sign-in sheet

Meeting Opened

Bob Boette opened the meeting, held in the Boyden Library, at 7:00 p.m.

2015 Cub Scout Chuck Wagon Proposal

The Commission met with Kevin Keaney in regards to using the Canoe River Recreation Area (Willow Street fields) for the cub scouts Chuck Wagon program next June. There would be 100 to 200 cub scouts from the 7 Rivers District (Bellingham, Franklin, Foxborough, Sharon, Norwood and Norton) and Mr. Keaney estimates about one quarter of them would camp overnight. They will keep the scouts in the field and rope off all other areas. The program would be from June 6, 2014 to June 7, 2014 from 11:00 a.m. to dusk. The scouts would have homemade wagons that they would bring around to different stations to practice different skills. Mr. Keaney stated that they would use 55 gallon drums for campfires and camp stoves for cooking. The scouts would be dropped off at the bus turnaround and port-a-potties would be brought in. Ms. Johnson would like to have the neighbors on the street notified in advance. Mr. Keaney will file a plan with the Commission in January once it is prepared. The Commission suggested that he check with Mr. Ed Lawton, the Commission's "field expert" who maintains the field, to see if it would be mowed at that time.

15 Union Street, Notice of Intent, DEP #157-527

Mr. Boette opened the hearing by reading the legal notice, posted in The Foxboro Reporter. A request for continuance (to November 24, 2014) letter was received from the applicant's representative, William Buckley of Bay Colony, since the abutters were not notified as required.

Motion was made by Ms. Johnson to continue the hearing of DEP #157-527 to November 24, 2014; seconded by Ms. Marshall. **Vote: 5-0-0**

45 Neponset Heights Avenue, Request for Determination

Mr. Boette opened the meeting by reading the legal notice, posted in The Foxboro Reporter. The Applicant's representative, John Glossa of Glossa Engineering, was present to review the proposed project. Mr. Glossa explained that the septic system at 45 Neponset Heights Avenue needs to be replaced with a new system; he has flagged the wetlands on the site in the backyard. The new system will be a Presby system, which is more efficient and does not require as much maintenance as normal systems. The system will be 38 feet from the wetlands and a silt barrier will be installed. The system cannot be put in the front yard because of the mature white pines in the area; there is no lawn and the trees would have to come down. The applicant has applied to the Board of Health.

The Commission asked if the leaching field could be turned slightly to try to get farther away from the wetland. Mr. Glossa noted that if this was done, there are trees on that side of the yard also. Ms. Johnson commented that the new system would be better than what is there now. Mr. Glossa stated that the Presby system does not require a contract maintenance program but will require minimal maintenance. He will add the maintenance to the As-Built plans.

Motion was made by Ms. Johnson to issue a Negative Determination for 45 Neponset Heights Avenue; seconded by Mr. Curtis. **Vote: 5-0-0**

0 Camp Road Restoration Order

Property owners Mr. and Mrs. Puzin were present, explaining that they had hired Russ Waldron of Applied Ecological Sciences as their consultant and John Glossa as their septic system engineer. The draft Restoration Order was reviewed by the Commission. The interim erosion control and stabilization plan is due by November 24th and a draft RARP is due by December 15th.

Motion was made by Ms. Marshall to approve the Restoration Order for 0 Camp Road; seconded by Mr. Curtis. **Vote: 5-0-0**

The Commission signed the Restoration Order and a copy was given to the Puzins.

Lane Conservation Area; Dave Risch Memorial Picnic Area

The Commission met with Edie Erickson in regards to the proposed observation and picnic area at 87 North Street. The building there is scheduled to be burned by the Fire Department on November 21st. Ms. Erickson would like to get the project started, with Phase I being the installation of some beech trees to create a beech grove area. The neighbor has been cutting the grass. For Phase II, she would like to install picnic tables and for Phase III an observation deck with benches would be added. A plaque will also be placed explaining the Lane Homestead and the biology of the area. There will be three handicapped parking and a gateway to the grove with a natural walkway. Ms. Erickson plans to establish a charitable foundation to fund the Lane portion of the project and also for the Dave Risch grove area. She would also like to add plaques on the benches for Phyllis Lucier and Josephine Fertita, who started the Town's conservation program. A management plan will also be needed.

The Commissioners asked if Hocking Memorial Funds could be used for some of the Dave Risch Memorial costs; Mrs. Hocking will need to be asked for permission to do this.

93-95 Main Street, DEP 157-526, ORAD

During the filing's ANRAD hearing, the Commission indicated that they would need to review the site's previous filing, based on their site walk's discovery of a catch basin in "Wetland C." Upon review of the previous filing's Order of Conditions and approved plan (1983 filing, DEP #157-073), the Commission learned that some of the required work was still incomplete. The Commission reviewed the draft Order of Resource Area Delineation prepared by Ms. Pierce. The draft ORAD was then modified by the Commission after review and discussion.

Motion was made by Ms. Johnson to approve the Order of Resource Area Delineation for 93-95 Main Street, DEP #157-526, as discussed/modified; seconded by Ms. Marshall. **Vote: 5-0-0**

Route 1 Sidewalk Repair (across from Gillette), Emergency Certification Ratification

Mass DOT needed to repair a sidewalk across from Gillette Stadium before the following weekend's Patriot's games so an Emergency Certification was issued by Ms. Pierce. To complete the process, the Commission needed to ratify the Certification.

Motion was made by Ms. Johnson to ratify the Emergency Certification for the MassDOT's repair of the Route 1 sidewalk; seconded by Mr. Curtis. **Vote: 5-0-0**

11 Jennifer Lane (Lot 18), DEP #157-107, Partial Certificate of Compliance

This Partial Certificate of Compliance is needed for the applicant to sell his home. The original Order of Conditions is from 1986 (DEP #157-107); a Certificate for this address was never filed.

Motion was made by Ms. Johnson to issue a Partial Certificate of Compliance for Lot 18, 11 Jennifer Lane, DEP #157-107; seconded by Mr. Curtis. **Vote: 5-0-0**

7 Montgomery Way, DEP #157-420, Partial Certificate of Compliance

A letter was received from Greg Spier, requesting the release of Lot 3 (7 Montgomery Way) of the Durham Park subdivision, DEP #157-420.

Motion was made by Ms. Johnson to issue a Partial Certificate of Compliance for Lot 3 (7 Montgomery Way), DEP #157-420; seconded by Mr. Curtis. **Vote: 5-0-0**

Regulations for Foxborough Wetlands Bylaw; Consultant Review and Fees

An application for a subdivision at 204 East Street was received recently. This application is very complicated and a third party consultant will be needed to review the engineering. The Commission is allowed under state law to employ outside consultants and charge the applicant via a 53G account. The Planning and Zoning Boards utilize this when their applications need third party engineering review. Although the Commission currently has an approved policy for hiring outside consultants, Ms. Pierce recommended incorporating it into the Wetlands and Groundwater Protection Regulations. She drafted an amendment to the Regulations, which is based on the Planning Board's language, regarding the hiring of outside consultants. The Commission reviewed the draft of this new Section 9.

Motion was made by Ms. Marshall to adopt Section 9 of the Wetlands and Groundwater Protection Regulations, Consultant Review and Fees, as amended with the suggested language; seconded by Mr. Marsh. **Vote: 5-0-0**

Motion was made by Ms. Johnson to continue the Public Hearing for the Regulations to Foxborough's Wetlands Bylaw to November 24, 2014; seconded by Mr. Marsh. **Vote: 6-0-0.**

204 East Street NOI for Forge Park Subdivision

Motion was made by Ms. Marshall to hire an outside consultant for the 204 East Street application because its size, scale, complexity, potential impact, or use of the land warrants the use of an outside consultant; seconded by Mr. Marsh. **Vote: 5-0-0**

June 9, 2014 Minutes

Motion was made by Ms. Johnson to approve the minutes of June 9, 2014 as amended; seconded by Ms. Marshall. **Vote: 6-0-0**

Land Management Sub-Committee Minutes

The Commission reviewed the minutes of September 19th of the Land Management Sub-Committee

Motion was made by Ms. Johnson to approve the minutes of the Land Management Sub-Committee from September 19, 2014; seconded by Ms. Marshall. **Vote: 5-0-0**

Meeting Adjourned

Motion was made by Mr. Marsh to adjourn the meeting; seconded by Ms. Johnson. **Vote: 5-0-0**

The meeting was adjourned at 9:55 p.m.

Respectfully submitted,

Eric Nelson, Clerk

Draft minutes submitted by Diana Gray: 11/20/14

Approved by Commission: 12/29/2014

Documents, Not Referenced Above

Attached Documents:

1. Agenda, November 10, 2014
2. Meeting Sign In Sheet

Location of Other Documents:

3. Manager's Report, filed in Manager's Report binder in the Conservation Office.
4. Referenced projects' documents: please see Conservation Commission's project file